

CHAPTER NO. 172

SENATE BILL NO. 521

By Ford, Kilby

Substituted for: House Bill No. 368

By Bowers, Lois DeBerry, John DeBerry, Kernell, Cooper, Langster, Marrero, Larry Turner

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 5, relative to the prevention and detection of chronic kidney disease.

WHEREAS, chronic kidney disease, which is a major health care burden, is projected to cost \$20 billion for the United States health care system by the year 2010; and

WHEREAS, Healthy People 2010 has recognized kidney disease as a major national health problem in America, and a joint initiative by the National Institutes of Health and the National Kidney Foundation is in place to educate providers and patients about the need for earlier treatment in the disease process; and

WHEREAS, more than 20 million Americans, approximately one in nine adults, have a form of chronic kidney disease. Of these, more than eight million have seriously reduced kidney functions, that, if left untreated, may progress to stage five chronic kidney disease. This stage of chronic kidney disease is commonly referred to as renal failure or end stage renal disease; and

WHEREAS, chronic kidney disease afflicts 287,000 Tennesseans and is becoming an epidemic in our state; and

WHEREAS, the combined financial impact of this devastating disease on Tennessee's health care system is \$220 million annually; and

WHEREAS, end stage renal disease is usually the result of years of chronic kidney disease caused by diabetes mellitus and hypertension, inherited conditions, or other insult to the kidneys; and

WHEREAS, the two primary contributing factors accounting for more than 60 percent of new cases of chronic kidney disease are diabetes and hypertension; and

WHEREAS, African-Americans are among those at highest risk for undiagnosed chronic kidney disease; and

WHEREAS, evidence-based clinical guidelines have been developed by scientists and renal experts and published in peer reviewed journals to raise awareness among physicians of the simple medical screenings that can determine the level of kidney function for individuals at highest risk for chronic kidney disease; and

WHEREAS, public policy initiatives targeted at early identification of individuals at risk for chronic kidney disease can reduce the serious long-term effects of chronic kidney disease on

the affected population, thereby potentially lowering the significant economic burden on Tennessee's health care system while improving the quality of life for numerous Tennesseans; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 5, is amended by adding Sections 2 through 5 of this act as a new part thereto.

SECTION 2. This title part is, and may be cited as, the "Tennessee Chronic Kidney Disease Screening Act of 2005".

SECTION 3. The purpose of this part is to urge all providers of health care services who assume responsibility for patients with diabetes, hypertension or a family history of kidney disease to counsel these patients regarding chronic kidney disease, to test such patients for chronic kidney disease, and to ensure that consulting laboratories provide appropriate reports concerning chronic kidney disease.

SECTION 4. (a) A provider of health care services who assumes responsibility for the care of patients with diabetes, hypertension, or patients who have a family history of kidney disease, is urged to counsel each such patient regarding chronic kidney disease, and is urged to test those patients for chronic kidney disease through routine clinical laboratory assessment of kidney function unless the patient refuses such testing.

(b) Laboratories shall report the glomerular filtration rate on any serum creatinine test ordered by a health care provider.

SECTION 5. The Commissioner of Health is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Title 4, Chapter 5.

SECTION 6. For the purpose of promulgating rules, the provisions of this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 5, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 22nd day of June 2005


PHIL BREDESEN, GOVERNOR